

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

The Lincoln Life & Annuity Company of New
York,

Plaintiff,

v.

H. Thomas Moran, II, Court-Appointed Receiver
of Lydia Capital LLC,

Defendant/Third-Party Plaintiff,

v.

Helen Gisonni; Eve-Lynn Gisonni, Zalman Silber,
SBH Programs, LLC; SBH Financial; Fredrick
Schulman; Silber Family Foundation; Stamford
Institutional Fund 2005A, LLC; Stamford
Portfolio Management, LLC; The Stamford
Group, Inc.; Argyle, Inc.; Dudzic Law Firm, LLC;
International Partners for Life Corporation,

Third-Party Defendants.

08-CV-699 (TCP) (WDW)

ELECTRONICALLY FILED

**STIPULATION OF DISMISSAL
WITHOUT PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED by the parties, AND ORDERED by the Court, that all claims asserted by Argyle Equity, Inc. and Dudzic Law Firm, LLC in this action against Helen Gisonni and Eve-Lynn Gisonni are hereby dismissed without prejudice, with each party to pay its own costs and attorneys' fees. The statute of limitations applicable to such claims is tolled until the conclusion of this action by final judgment after exhaustion of appeals, and the parties agree not to raise statute of limitations defense to any renewed action. Notwithstanding the Scheduling Order in this case, the Court will allow for the renewal of third party claims.

Dated: November 4, 2010

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SO ORDERED

UNITED STATES DISTRICT JUDGE